

Meehan	Poshard	Slaughter
Menendez	Rahall	Stark
Mfume	Ramstad	Stokes
Miller (CA)	Rangel	Studds
Minge	Riggs	Stupak
Moakley	Rivers	Torricelli
Morella	Roemer	Towns
Nadler	Roth	Upton
Neumann	Roukema	Velazquez
Oberstar	Roybal-Allard	Vento
Obey	Royce	Volkmer
Olver	Rush	Watt (NC)
Orton	Sabo	Waxman
Owens	Sanders	Williams
Pallone	Sanford	Wise
Payne (NJ)	Sawyer	Woolsey
Payne (VA)	Schroeder	Wyden
Pelosi	Schumer	Wynn
Peterson (MN)	Sensenbrenner	Yates
Petri	Serrano	Zeliff
Pomeroy	Shays	Zimmer
Portman	Skaggs	

## NOT VOTING—4

Fields (LA)	McHugh
Hayes	Tucker

So the further conference report was agreed to.

A motion to reconsider the vote whereby said further conference report was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

#### ¶148.13 NOTICE REQUIREMENT— CONSIDERATION OF RESOLUTION— QUESTION OF PRIVILEGES

Mr. PETERSON of Florida, pursuant to clause 2(a)(1) of rule IX, announced his intention to call up the following resolution, as a question of the privileges of the House:

Whereas the Committee on Standards of Official Conduct is currently considering several ethics complaints against Speaker Newt Gingrich;

Whereas the Committee has traditionally handled such cases by appointing an independent, non-partisan, outside counsel—a procedure which has been adopted in every major ethics case since the Committee was established;

Whereas—although complaints against Speaker Gingrich has been under consideration for more than 14 months—the Committee has failed to appoint an outside counsel;

Whereas the Committee has also deviated from other long-standing precedents and rules of procedure; including its failure to adopt a Resolution of Preliminary Inquiry before calling third-party witnesses and receiving sworn testimony;

Whereas these procedural irregularities—and the unusual delay in the appointment of an independent, outside counsel—have led to widespread concern that the Committee is making special exceptions for the Speaker of the House;

Whereas the integrity of the House depends on the confidence of the American people in the fairness and impartiality of the Committee on Standards of Official Conduct.

Therefore be it resolved that;

The Chairman and Ranking Member of the Committee on Standards of Official Conduct should report to the House, no later than November 28, 1995, concerning:

(1) the status of the Committee's investigation of the complaints against Speaker Gingrich;

(2) the Committee's disposition with regard to the appointment of a non-partisan outside counsel and the scope of the counsel's investigation;

(3) a timetable for Committee action on the complaints.

The SPEAKER pro tempore, Mr. INGLIS, responded to the foregoing notice, and said:

“Under rule IX, a resolution offered from the floor by a member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time or place designated by the Speaker in the legislative schedule within two legislative days of its being properly noticed. The Chair will announce the Chair's designation at a later time.

“The Chair's determination as to whether the resolution constitutes a question of privilege will be made at the time designated by the Chair for consideration of the resolution.”

#### ¶148.14 PROVIDING FOR THE CONSIDERATION OF H. RES. 250

Mr. SOLOMON, by direction of the Committee on Rules, called up the following resolution (H. Res. 268):

*Resolved*, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 250) to amend the Rules of the House of Representatives to provide for gift reform. The amendments recommended by the Committee on Rules now printed in the resolution are hereby adopted. The previous question shall be considered as ordered on the resolution, as amended, and any amendment thereto to final passage without intervening motion except:

(1) Thirty minutes of debate on the resolution, which shall be equally divided and controlled by the chairman and ranking minority member of the Committee on Rules;

(2) The amendment printed in part 1 of the report of the Committee on Rules accompanying this resolution, if offered by Representative Burton of Indiana or his designee, which shall be considered as read and shall be separately debatable for thirty minutes equally divided and controlled by the proponent and an opponent; and

(3) If the amendment printed in part 1 of the report is rejected or not offered, the amendment printed in part 2 of the report, if offered by Representative Gingrich of Georgia or his designee, which shall be considered as read and shall be separately debatable for thirty minutes equally divided and controlled by the proponent and an opponent. All points of order against the amendments printed in the report are waived. During consideration of the resolution, no question shall be subject to a demand for division of the question.

When said resolution was considered. After debate,

On motion of Mr. GOSS, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

#### ¶148.15 GIFT REFORM

Mr. SOLOMON, pursuant to House Resolution 268, called up the following resolution (H. Res. 250):

*Resolved*,

#### SECTION 1. AMENDMENT TO HOUSE RULES.

Rule LII of the Rules of the House of Representatives is amended to read as follows:

#### “RULE LII

#### “GIFT RULE

“1. (a)(1) No Member, officer, or employee of the House of Representatives shall knowingly accept a gift except as provided in this rule.

“(2) A Member, officer, or employee may accept a gift (other than cash or cash equivalent) which the Member, officer, or employee reasonably and in good faith believes to have a value of less than \$50, and a cumulative value from one source during a calendar year of less than \$100. No gift with a value below \$10 shall count toward the \$100 annual limit. No formal recordkeeping is required by this subparagraph, but a Member, officer, or employee shall make a good faith effort to comply with this subparagraph.

“(b)(1) For the purpose of this rule, the term ‘gift’ means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. The term includes gifts of services, training, transportation, lodging, and meals, whether provided in kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred.

“(2)(A) A gift to a family member of a Member, officer, or employee, or a gift to any other individual based on that individual's relationship with the Member, officer, or employee, shall be considered a gift to the Member, officer, or employee if it is given with the knowledge and acquiescence of the Member, officer, or employee and the Member, officer, or employee has reason to believe the gift was given because of the official position of the Member, officer, or employee.

“(B) If food or refreshment is provided at the same time and place to both a Member, officer, or employee and the spouse or dependent thereof, only the food or refreshment provided to the Member, officer, or employee shall be treated as a gift for purposes of this rule.

“(c) The restrictions in paragraph (a) shall not apply to the following:

“(1) Anything for which the Member, officer, or employee pays the market value, or does not use and promptly returns to the donor.

“(2) A contribution, as defined in section 301(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) that is lawfully made under that Act, a lawful contribution for election to a State or local government office or attendance at a fundraising event sponsored by a political organization described in section 527(e) of the Internal Revenue Code of 1986.

“(3) A gift from a relative as described in section 109(16) of title I of the Ethics in Government Act of 1978 (Public Law 95-521).

“(4)(A) Anything provided by an individual on the basis of a personal friendship unless the Member, officer, or employee has reason to believe that, under the circumstances, the gift was provided because of the official position of the Member, officer, or employee and not because of the personal friendship.

“(B) In determining whether a gift is provided on the basis of personal friendship, the Member, officer, or employee shall consider the circumstances under which the gift was offered, such as:

“(i) The history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between such individuals.

“(ii) Whether to the actual knowledge of the Member, officer, or employee the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift.

“(iii) Whether to the actual knowledge of the Member, officer, or employee the individual who gave the gift also at the same